torn y for Petitioner: er Print Name) ___A_M. HARRY J. PISTEL, P. E. DIRECTOR

PETITION FOR ZONING VARIANCE 84-39-A The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section 1B02.3.B (Sect. 111.C.4, 1945 regulations) to permit rearyard setback of 10 ft. instead of the equired 15 ft. and an average rearyard setback of 14.5 ft. instead of the required 20 ft. of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (indicate hardship or practical difficulty) CONVENIENT TO THE BACK DOOK OF HOUSE. PO TO BEDROOM ON WESTENDOF HOME Y ALSO KITCHEN ON EAST ENDOF HOME Property is to be posted and advertised as prescribed by Zoning Regulations. I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law For Baltimore County. I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property TIMONIUM MU.

1 HATHAWAY Rb. 252-1622 Name, address and phone number of legal owner, contract purchaser or representative to be contacted

ORDERED By The Zoning Commissioner of Baltimore County, this ____31st__ of ______, May _____, 19___, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be had before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the 10th day of August 1983, at 10:30 o'clock

Zoning Commissioner of Baltimore County.

BALTIMORE COUNTY
DEPARTMENT OF PUBLIC WORKS
TOWSON, MARYLAND 21204

July 1, 1983

Mr. William E. Hammond Zoning Commissioner County Office Building Towson, Maryland 21204

> Re: Item #251 (1982-1983) Property Owner: Henry P & Louise H. Goetz S/E corner Timonium Road and Hathaway Road Acres: 113.48/125 X 64.63/74.25 District: 8th

Dear Mr. Hammond:

The following comments are furnished in regard to the plat submitted to this office for review by the Zoning Advisory Committee in connection with the subject

Baltimore County highway and utility improvements exist and are not directly involved.

Development of this property through stripping, grading and stabilization could result in a sediment pollution problem, damaging private and public holdings down-stream of the property. A grading permit is, therefore, necessary for all grading, including the stripping of top soil.

The Petitioner must provide necessary drainage facilities (temporary or permanent) to prevent creating any nuisances or damages to adjacent properties. especially by the concentration of surface waters. Correction of any problem which may result, due to improper grading or improper installation of drainage facilities, would be the full responsibility of the Petitioner.

This office has no further comment in regard to the plan submitted for Zoning Advisory Committee review in connection with this Item 251 (1982-1983).

Robert A. MORTON, P.E., Chief Bureau of Public Services

RAM: EAM: FWP::ss

S-NE Key Sheet 53 NA 2 Pos. Sheet NW 14 A TOPO 60 Tax Map

RE: PETITION FOR VARIANCES SW Corner of Timonium 3 Hathaway Rds., 8th District

BEFORE THE ZONING COMMISSIONER OF BALTIMORE COUNTY

HENRY P. GOETZ, et ux, Case No. 84-39-A

ORDER TO ENTER APPEARANCE

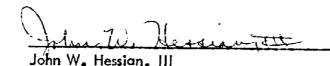
:::::::

Mr. Commissioner:

Pursuant to the authority contained in Section 524.1 of the Baltimore County Charter, I hereby enter my appearance in this proceeding. You are requested to notify me of any hearing date or dates which may be now or hereafter designated therefor, and of the passage of any preliminary or . . al Order in connection therewith.

Peter Max Zimmerman Deputy People's Counsel John W. Hessian, III People's Counsel for Baltimore County Rm. 223, Court House Towson, Maryland 21204

I HEREBY CERTIFY that on this 22nd day of July, 1983, a copy of the foregoing Order was mailed to Mr. and Mrs. Henry P. Goetz, 1 Hathaway Road, Timonium, MD 21093, Petitioners.



BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

William E. Hammond, Zoning Commissioner July 22, 1983 TO Office of Planning & Zoning

FROM Ian J. Forrest SUBJECT Zoning Variance Items

> The Baltimore County Department of Health has reviewed the following zoning items, and does not anticipate any health hazards

at this time.

Item \#251 - Henry P. & Louise H. Goetz Item #252 - Arthur J. & Carol L. Griffin, Jr.

Item #253 - Marbury B. Fox, Jr.

Item #256 - Elisa V. Landriel, et al

Item #257 - Howard B. Fisher, et ux

Item #258 - Shopping Center Associates

Item #259 - S L C No. 3, Incorporated

Item #260 - John B. & Norma G. King, Jr.

Item #261 - Robert L. & Vivian Lynch

Item #262 - Ann Howell

Item #264 - Frances C. & Patty A. Principate

Ian J. Forrest, Director BUREAU OF ENVIRONMENTAL SERVICES

BALTIMORE COUNTY

ZONING PLANS

ADVISORY COMMITTEE



PETITION AND SITE PLAN

EVALUATION COMMENTS

MICROFILMED

June 6, 1983

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

COUNTY OFFICE BLDG. 111 W. Chesapeake Ave. Towson, Maryland 21204

Mr. & Mrs. Henry P. Goetz 1 Hathaway Road Timonium, Maryland 21093

Nicholas B. Commodari

RE: Item No. 251 - Case No. 84-39-A Petitioner Henry P. Goetz, at ux Variance Petition Dear Mr. & Mrs. Goetz: Department of

Bureau of Fire Prevention Health Department Project Planning Building Department Board of Education Zoning Administration

Bureau of

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above referenced petition. The following comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing on this case. The Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested zoning.

Enclosed are all comments submitted from the members of the Committee at this time that offer or request information on your petition. If similar comments from the remaining members are received, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

Very truly yours.

Techalas B. Commadari, NICHOLAS B. COMMODARI Zoning Plans Advisory Committee

NBC:bsc

Enclosures

cc: KCW Consultants, Inc. 760 Fairmount Avenue Towson, Md. 21204

BALTIMORE COUNTY
DEFARTMENT OF PERMITS & LICENSES
TOWSON, MARYLAND 2:204
494-3900

TED ZALESKI, JR. Mr. William E. Hammond, Zoning Commissioner Office of Planning and Zoning County Office Building Towson, Maryland 21204

Comments on Item # 251 Zoning Advisory Committee Meeting May 31, 1983

Property Owner: Henry P. & Louise H. Goetz
Location: SE/Cor. Timonium Rd. & Hathaway Road
Existing Zoning: D.R. 5.5
Proposed Zoning: Variance to permit a minimum rear yard setback of 10' in lieu of

the required 15' and an average rear yard setback of 14.5' in lieu of the Acres: 113.48/125 x 64.63/74.25 District: 8th The items checked below are applicable:

All structure shall conform to the Baltimore County Building Code 1981/ Council Bill 4-82 State of Maryland Code for the Handicapped and Aged; and other applicable Codes.

B. A building/and other miscellaneous permits shall be required before beginning

C. Residential: Three sets of construction drawings are required to file a penalt application. Architect/Engineer seal 18/18 not required. D. Commercial: Three sets of construction drawings with a Maryland Registered Architect or Engineer shall be required to file a permit application.

B. An exterior wall erected within 6'0 of an adjacent lot line shall be of one hour fire resistive construction, no openings permitted within 3'-0 of lot lines. A firewall is required if construction is on the lot line, See Table 401, line 2, Section 1407 and Table 1402.

F. Requested variance conflicts with the Baltimore County Building Code,

G. A change of occupancy shall be applied for, along with an alteration permit application, and three required sets of drawings indicating how the structure will meet the Code requirements for the proposed change. Drawings may require

H. Before this office can comment on the above structure, please have the owner, thru the services of a Registered in Maryland Architect or Engineer certify to this office, that, the structure for which a proposed change in use is proposed can comply with the height/area requirements of Table 505 and the required construction classification of Table 401.

HOTE: These commence reflect only on the information provided by the drawings submitted to the office of Planning and Zoming and are not intended to be construed as the full extent of any permit. If desired, additional information may be obtained by visiting Room #122 (Plans Review) at 111 West Chesapeake Ave., 21204

BALTIMORE COUNTY PUBLIC SCHOOLS

Robert Y. Dubel, Superintendent

Towson, Maryland - 21204

Date: May 27, 1983

Mr. William E. Hammond Zoning Commissioner Baltimore County Office Building 1111 West Chesapeake Avenue Towson, Maryland 21204

Z.A.C. Meeting of: May 31, 1983

RE: Item No: 249, 250, 251, 252, 253 Property Owner: Location: Present Zoning: Proposed Zoning:

> District: No. Acres:

Dear Mr. Hammond:

All of the above have no adverse effect on student population.

Very truly yours Was With felout Wm. Nick Petrovich, Assistant Department of Planning

WNP/bp

Pursuant to the advertisement, posting of property, and public hearing on the Petition and it

appearing that strict compliance with the Baltimore County Zoning Regulations would/would not result in practical difficulty and unreasonable nardship upon the Fetitioner(s) and the granting of the variance(s) requested will/will not adversely affect the health, safety, and general welfare of the community, the variance(s) should /should not be granted.

Therefore, IT IS ORDERED by the Zoning Commissioner of Baltimore County, this

day of ______, 19_____, that the herein Petition for Variance(s) to permit

BALTIMORE COUNTY
FIRE DEPARTMENT
TOWSON MARYLAND 21204-2586
494-4500

PAUL H REINCKE CHIEF

Mr. William Hammond Zoning Commissioner Office of Planning and Zoning Baltimore County Office Building Towson, Maryland 21204

September 14, 1983

Attention: Nick Commodari, Chairman 2cning Plans Advisory Committee

RE: Property Owner: Henry P. and Louise H. Goetz

Location: SE/Cor. Timonium Road and Hathaway Road

Item No.: 251 Zoning Agenda: Meeting of May 31, 1983 Centlemen:

Pursuant to your request, the referenced property has been surveyed by this bureau and the comments below marked with an "X" are applicable and required to be corrected or incorporated into the final plans for the property.

() 1. Fire hydrants for the referenced property are required and shall be located at intervals or _____feet along an approved road, in accordance with Baltimore County Standards as published by the

() 2. A second means of vehicle access is required for the site.

() 3. The vehicle dead end condition shown at _____

EXCEEDS the maximum allowed by the Fire Department.

() 4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operation. () 5. The buildings and structures existing or proposed on the site shall

comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1976 Edition prior

() 6. Site plans are approved, as drawn.

() 7. The Fire Prevention Bureau has no comments, at this time.

REVIEWER: Cot for 1 Kill, 4-14-17 HEEELVES LOCAL MILENOMOST

JK/mb / cm

Special Inspection Division

IN RE: PETITION ZONING VARIANCE SW/corner of Timonium and Hathaway Roads -

8th Election District Henry P. Goetz, et ux,

BEFURE THE ZONING COMMISSIONER OF BALTIMORE COUNTY Case No. 84-39-A

*** ::: :::

Petitioners

FINDING OF FACTS AND CONCLUSIONS OF LAW

The Petitioners herein request variances to permit a rear yard setback of 10 feet instead of the required 15 feet and an average rear yard setback of 14.5 feet instead of the required 20 feet. The pu use for their request is to enable the Petitioners to build an enclosed porch in the rear of their home, 9' x 12' dimensionally.

Testimony indicated, and was uncontested, that the placement of the porch in the particular area as described on the site plan, Petitioners' Exhibit 1, was mandated by the existence of a back door in that particular location which would allow easy access. The Petitioners testified that the addition could not be located

elsewhere on the property due to the configuration in the house of the bedrooms and kitchen, which would prevent access or complicate access to the addition. etitioners are close to retirement, and at their age, cannot afford to move. hey still have one child living at home.

It is obvious that there will be no substantial detriment to the public good and will not be any substantial impairment to the intent and the purpose of the zoning ordinance.

Petitioners seek relief from Section 1802.3.B., Baltimore County Zoning Repolations (BCZR), Section 111.C.4., 1945 BCZR, pursuant to Section 307, BCZR.

After due consideration of the testimony and evidence presented, it is clear that a practical difficulty or unreasonable hardship would result if the instant

PETITION FOR VARIANCES

Southwest corner of Timonium and Hathaway Roads

Wednesday, August 10, 1983 at 10:30 A.M.

8th Election District

PUBLIC HEARING: Room 106, County Office Building, 111 W. Chesapeake

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act

Petition for Variances to permit a rear yard setback of 10 ft.

instead of the required 15 ft. and an average rear yard setback

Section 1B02.3.B (III. C.4, 1945 regulations) - rear and average rear yard setback

Being the property of Henry P. Goetz, et ux, as shown on plat plan filed with the

Public Hearing: Room 106, County Office Building, 111 W. Chesapeake Avenue,

Avenue, Towson, Maryland

and Regulations of Baltimore County, will hold a public hearing:

All that parcel of land in the Eighth District of Baltimore County

of 14.5 ft. instead of the required 20 ft.

Hearing Date: Wednesday, August 10, 1983 at 10:30 A.M.

The Zoning Regulation to be excepted as follows:

Petition for Variances

ZONING:

LOCATION:

DATE & TIME:

in a D.R. 5.5 zone

Zoning Department.

Towson, Maryland

variances were not to be granted. It has been established that the requirements the Petitioners seek relief from here would unduly restrict the use of the land due to the special conditions unique to this particular parcel. In addition, the variances requested will not be detrimental to the public health, safety, and general welfare.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons above given, the variances requested should be granted.

Therefore, IT IS ORDERED by the Zoning Commissioner of Baltimore County, this ______ day of August, 1983, that the Petition for Variances to permit a rear yard setback of 10 feet instead of the required 15 feet and an average rear yard setback of 14.5 feet instead of the required 20 feet for the express and sole purpose of building an enclosed addition $9' \times 12'$ as more fully described in a site plan, dated May 15, 1983, and identified as Petitioners' Exhibit 1, be and is hereby GRANTED, from and after the date of this Order, subject to the following:

> 1. The Petitioners may apply for their building permit and be granted same upon receipt of their Order; however, Petitioners are hereby made aware that their proceeding at this time is at their own risk until such time as the applicable appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioners would be required to return, and be responsible for returning, said property to its original condition.

(301) 821-0852

821-0894

Douglas L. Kennedy, P.E. John M. Cosaraquis, L.S. William K. Woody, L.S.

KCW Consultants, Inc. Civil Engineers and Land Surveyors 760 Fairmount Avenue Towsontown Centre Towson, Maryland 21204

- 2 -

May 15, 1983

Description of No. 1 Hathaway Road Timonium, Maryland

All that piece or parcel of ground located on the southeast side of Timonium Road and on the southwest side of Hathaway Road, approximately 696 feet northeast of York Road, known as Lot No. 1, as shown on Resubgivision Plat of Part of Sections A-B & C, "Yorkshire" and Part of "Havenford", which plat is recorded among the Land Records of Baltimore County in Plat Book G.L.B. 22, Page 25.

INTER-OFFICE CORRESPONDENCE William E. Hammond,

BALTIMORE COUNTY, MARYLAND

FROM Office of Planning and Zoning SUBJECT Zoning Petition #84-39-A

Norman E. Gerber, Director

Henry P. Goetz, et ux

TO Zoning Commissioner

There are no comprehensive planning factors requiring comment on this petition.

> Norman E. Gerber, Director Office of Planning and Zoning

Date__July 29, 1983

NEG:JGH:si

BALTIMORE COUNTY
OFFICE OF PLANNING & ZONING
TOWSON, MARYLAND 21204
494-3353

WILLIAM E. HAMMOND ZONING COMMISSIONER

July 29, 1983

Mr. & Mrs. Henry P. Goets 1 Hathaway Road Timonium, Maryland 21093

> Re: Petition for Variances SW/corner Timonium & Hathaway Roads Henry P. Goetz, et ux - Petitioners Case No. 84-39-A

Dear Mr. & Mrs. Goetz:

This is to advise you that ______is due for advertising and posting of the above property.

Please make the check payable to Baltimore County, Maryland, and remit to Arlene January, Zoning Office, Room 113, County Office Building, Towson, Maryland 21204, before the hearing.

> Very truly yours, WILLIAM E. HAMMOND

ommissioner

BALTIMORE COUNTY, MARYLAND OFFICE OF FINANCE - REVENUE DIVISION MISCELLANEOUS CASH RECEIPT

No. 119453

R-01-615-000

RECEIVED HERRY P. Goets Advertising & Posting Case #84-39-A

£ 577*****53848b #092A

VALIDATION OR SIGNATURE OF CASHIER

A.

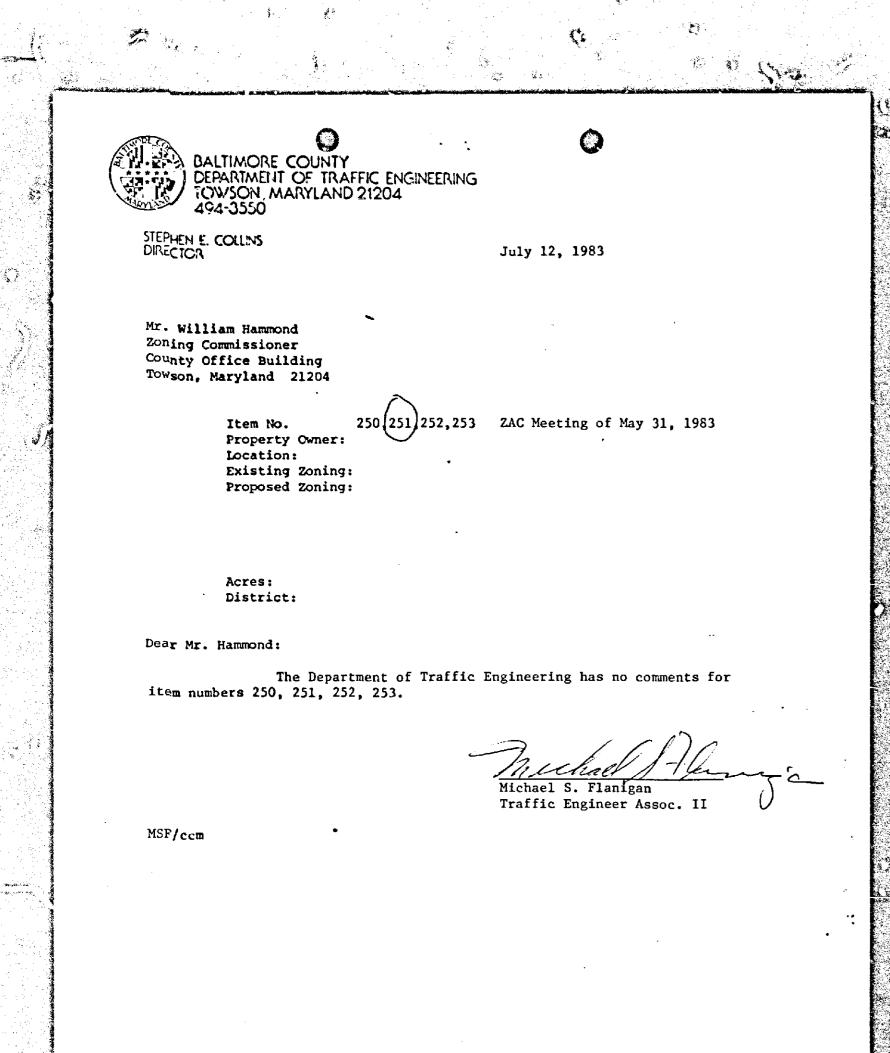
BY ORDER OF

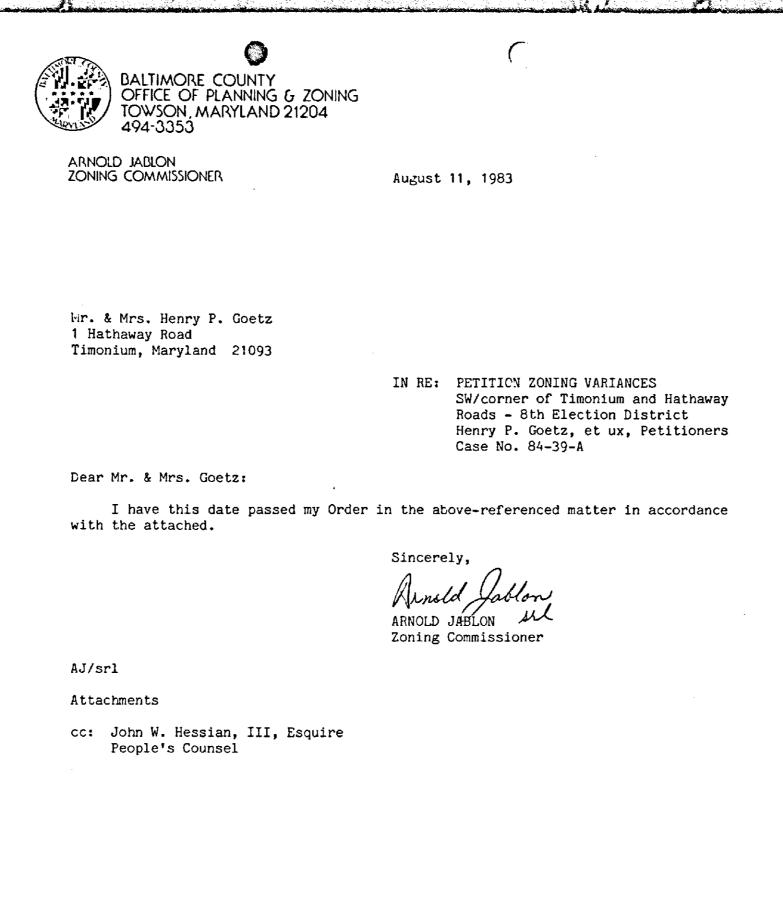
ARNOLD JABLON

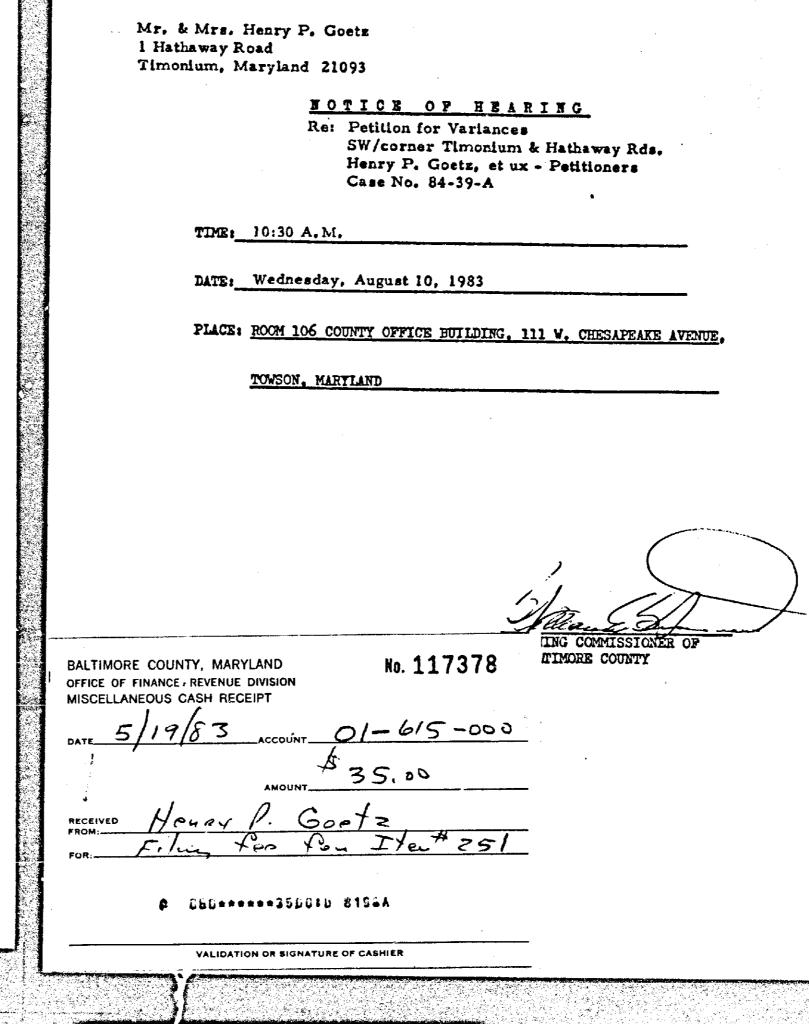
ZONING COMMISSIONER

OF BALTIMORE COUNTY

TAN 16 TAG







July 13, 🔘 83

| ondin, Maryland 21093 | BALTIMORE COUNTY OFFICE OF PLANNING & ZONING |
|--|--|
| Re: Petition for Variances SW/corner Timonium & Hathaway Rds. Henry P. Goetz, et ux - Petitioners Case No. 84-39-A | County Office Building 111 W. Chesapeake Avenue Towson, Maryland 21204 Your Petition has been received and accepted for filing this 31st day of May, 1983 |
| TIME: 10:30 A.M. | The SA |
| DATE: Wednesday, August 10, 1983 | WILLIAM E. HAMMOND Zoning Commissioner |
| PLACE: ROOM 106 COUNTY OFFICE BUILDING, 111 W. CHESAPEAKE AVENUE, | Petitioner Renry P. Gootz, et ux Petitioner's Attorney Reviewed by: Lectors B. Commodern |
| TOWSON, MARYLAND | Nicholas B. Commodari Chairman, Zoning Plans Advisory Committee |
| | |
| | 94-39-A |
| Man EST | CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY Towson, Maryland |
| ING COMMISSIONER OF MINTY, MARYLAND No. 117378 E. REVENUE DIVISION CASH RECEIPT | District 8 Date of Posting 7/13/33 Posted for: Attacon for Carcanian |
| 7/83 ACCOUNT 01-615-000 | Petitioner: 12 / Controlling & That Haven, |
| eney P. Goetz Vine for for Iten# 251 | Location of Signs: Jacking intersection of amount |
| | Remarks: |
| C&C*****35DO:D 8194A | Posted by |
| VALIDATION OR SIGNATURE OF CASHIER | |
| | |

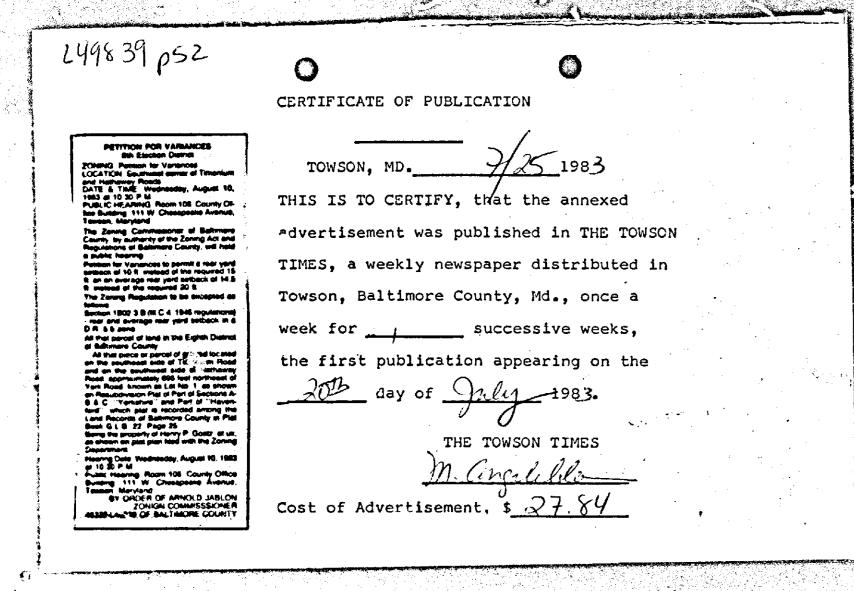
Mr. & Hrs. Henry P. Goets

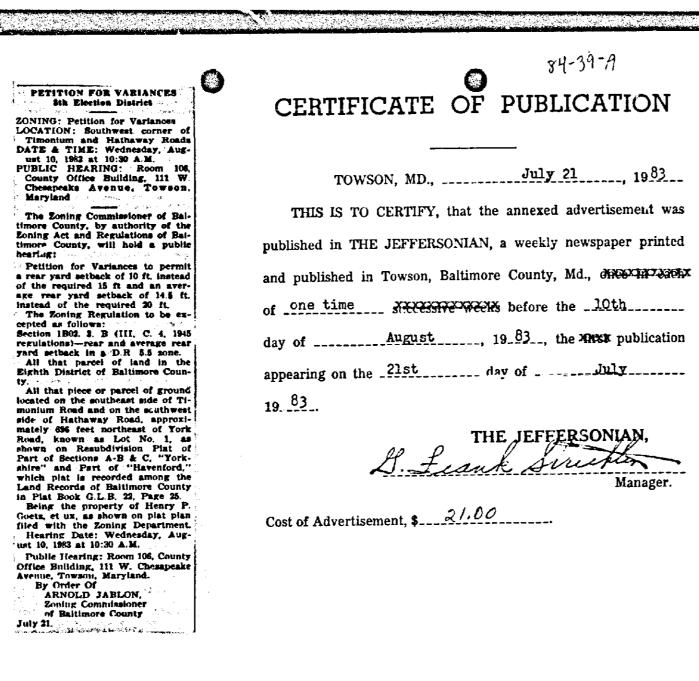
Timonium, Maryland 21093

1 Hathaway Road

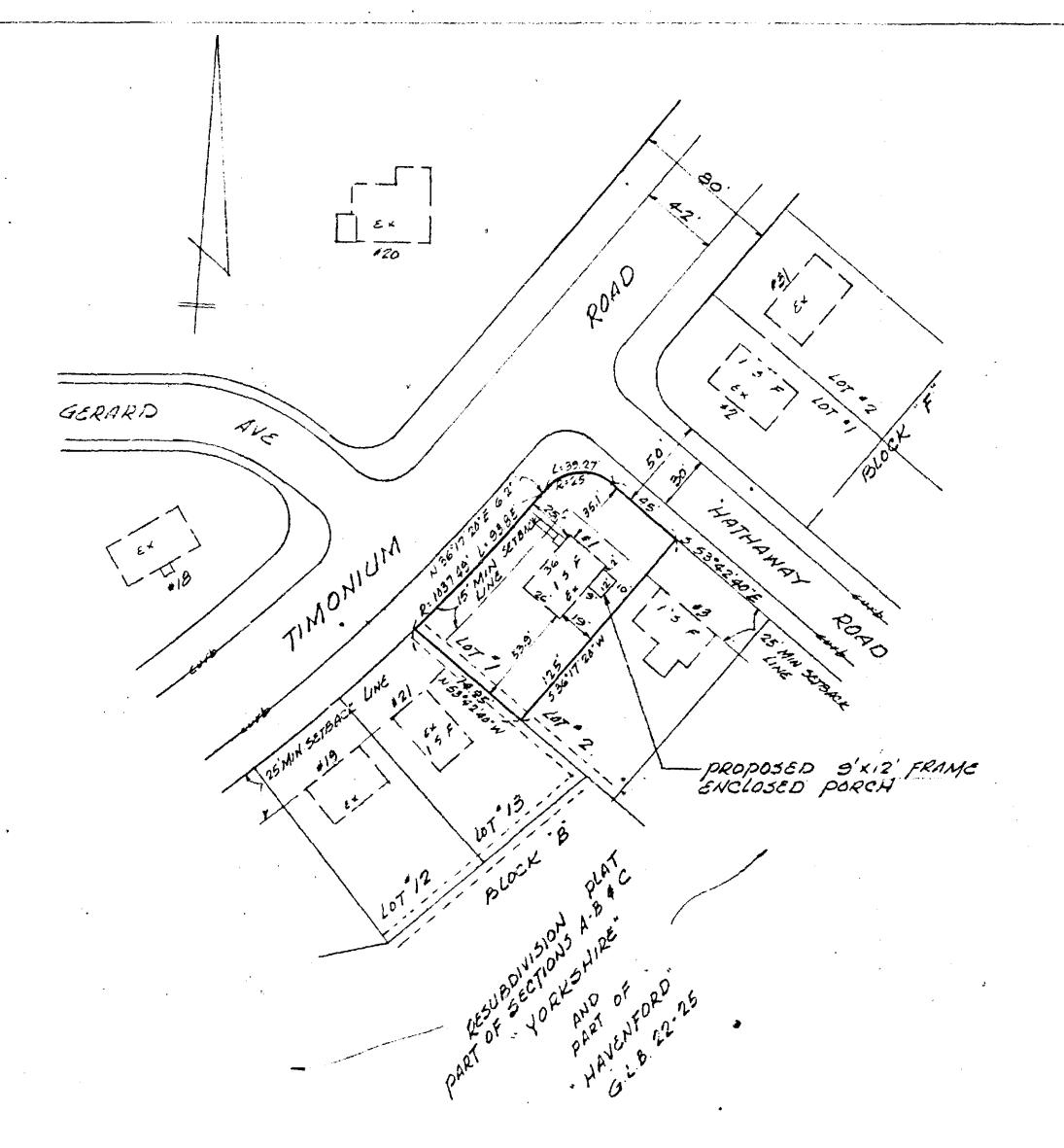
cc: KCW Consultants, Inc. 760 Fairmount Avenue

Towson, Maryland 21204

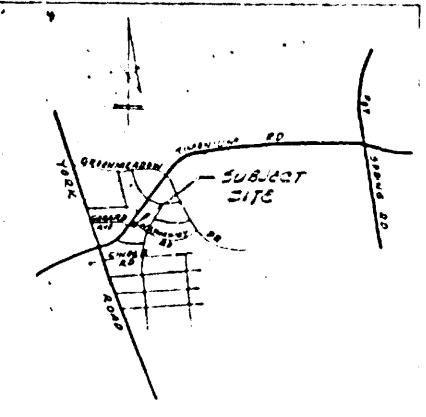








PETITIONER'S
EXHIBIT



TODIE / Los

PLAT FOR REAR YARD

JARIANCE TO ZONING

NO. 1 MATHAWAY ROAD

8th ELECTION DOT. BALTO COUNTY MO

SCALE: 1" SO" CATE: MAY 15, 1883

GENERAL NOTES

VARIANCE TO ALLOW FOR A 10 FT.

REAR YARD INSTEAD OF THE

REQUIRED 15 FT. MINIMUM

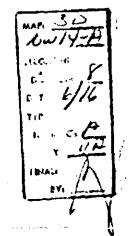
REAR YARD IN AN AVERAGE OF

A 14.5 FT. INSTEAD OF 20 FT. REAR

YARD.

EXISTING ZONING : DR 5.5 PROPOSED ZONING : DR 5.5

PUBLIC UTILITIES EXIST





KCW CONSULTANTS, INC.

CIVIL ENGINEERS — LAND CURVEYORS

760 FARMOUNT AVENUE

10WSONTOWN CENTRE

TOWSON, MARYLAND 21264

821 0852

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